



Entered on Docket
April 21, 2008

Kim Ri

**Hon. Linda B. Riegle
United States Bankruptcy Judge**

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Attorneys for USA/CM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR¹
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SIXTH
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE
HASLEY CANYON LOAN**

Hearing Date: April 17, 2008
Hearing Time: 10:30 a.m.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Sixth Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the Hasley Canyon Loan (the "Objection") [DE 5922]. Adequate notice of
4 the Objection was given. The Court heard the Objection on April 17, 2008. No responses
5 were filed to the Objection and no opposition was raised at the hearing. Good cause
6 appearing,

7 **IT IS ORDERED:**

8

- 9 • Sustaining the Objection;

10

- 11 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
12 are based upon an investment in the Hasley Canyon Loan. The Proofs of Claim
13 listed in Exhibit A are not affected by this order to the extent they are based
14 upon an investment in a loan(s) other than the Hasley Canyon Loan; and
- 15 • Reserving the right of any party in interest, including the USACM Trust, to
16 further object to the Proofs of Claim listed on Exhibit A attached.

17 #####

18 PREPARED AND SUBMITTED:

19 **LEWIS AND ROCA LLP**

20 By: /s/ RC (#0006593)

21 Susan M. Freeman

22 Rob Charles

23 John Hinderaker

24 *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

3 The Court waived the requirements of approval under LR 9021.

4 No parties appeared or filed written objections, and there is no trustee appointed
5 in the case.

6 No opposition was filed to the motion and no other party or counsel appeared at
7 the hearing.

8 I have delivered a copy of this proposed order to all attorneys and unrepresented
9 parties who have appeared at the hearing, and any trustee appointed in the case,
10 and each has approved or disapproved the order, or failed to respond, as
11 indicated below:

12 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)
14 Susan M. Freeman
15 Rob Charles
15 John Hinderaker
16 *Attorneys for USACM Liquidating Trust*

HASLEY CANYON
Multiple Loan Claims

EXHIBIT A
SIXTH OMNIBUS OBJECTION

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Hasley Canyon Loan
10725-02088	Robert W. Ulm Living Trust Dtd. 4/11/05	Robert W. Ulm Tee 414 Morning Glory Road St. Marys, GA 31558	\$688,165.00	\$150,000.00
10725-02089	Robert W. Ulm	414 Morning Glory Road St. Marys, GA 31558	Contingent	Contingent
10725-02481	Tobias Von Euw Revocable Trust Dated 11/23/04	c/o Tobias Von Euw Trustee 2448 Lark Sparrow Street Las Vegas, NV 89084	\$1,468,967.93	\$25,000.00
10725-01365	Richard G. Vrbancic	103 Willow Brook Drive N.E. Warren, OH 44483-4630	\$270,000.00	\$25,000.00
10725-02015	Mike Wagnon	c/o Laurel E. Davis Lionel Sawyer & Collins 300 S. Fourth St., Suite 1700 Las Vegas, NV 89101	\$450,000.00	\$300,000.00